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ABSTRACT

This report examines the evolution of state laws that allow family daycare providers to operate daycare programs in their own homes despite local zoning ordinances restricting such programs. Such preemptive legislation is currently in force in 17 states, and under consideration in others. Following an overview of preemptive legislation for the operation of family day care programs, the report provides a state-by-state outline of current preemptive laws. Each of the 17 entries contains a chart listing the key aspects of the law and a summary of its legislative history, scope, interpretation, and implementation. Contact persons and organization in each state are also listed. In addition, strategies for helping to pass preemptive legislation are also discussed. An appendix provides a model preemption law on family child care. (MDM)

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